Before The
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	CC Docket No. 94-102
Revision of the Commission's Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems	)	RM-8143
	)	
Telident Part 68 Ex Parte	)	

Original

COMMENTS OF THE MULTI-MEDIA TELECOMMUNICATIONS ASSOCIATION

Albert H. Kramer
Robert F. Aldrich
DICKSTEIN SHAPIRO MORIN
& OSHINSKY LLP
2101 L Street, N.W.
Washington, D.C. 20037-1526
(202) 828-2236

Attorneys for MultiMedia
Telecommunications Association

December 11, 1996

Before The
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	CC Docket No. 94-102
Revision of the Commission's Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems	)	RM-8143
Telident Part 68 Ex Parte	)	

COMMENTS OF THE
MULTI-MEDIA TELECOMMUNICATIONS ASSOCIATION

Pursuant to the Common Carrier Bureau's Public Notice, DA 96-1976, released November 25, 1996, the MultiMedia Telecommunications Association ("MMTA") hereby comments on the ex parte submission of Telident, Inc., dated October 30, 1996.

I. TECHNICAL PROPOSALS REFERENCED IN THE PUBLIC NOTICE

The Public Notice focuses specifically on certain technical proposals made in Telident's ex parte submission. Specifically, Telident proposes: (1) adding or modifying proposed definitions of "Enhanced 9-1-1 emergency services trunk," "Loop simulator circuit," "Multi-frequency signaling," and "Network-Provided Reverse Battery" (Telident Part 68 Ex Parte at 3-4, proposing new or changed definitions of these terms in 47 CFR § 68.3); (2) specifying signal power limitations for MF signaling (Telident Part 68 Ex Parte at 7, proposing changes to 47 CFR § 68.308); and (3) specifying "interface

requirements" for interconnection of a MLTS to an E911 system (Telident Part 68 Ex Parte at 9, proposing to include in 47 CFR § 68.320 a reference to ANSI T1.411-1995).

MMTA has not undertaken a technical evaluation of these particular proposals. MMTA does not object to the adoption of most of these proposed changes to the extent that they reflect industry consensus on technical issues. However, MMTA does object to the proposed "Enhanced 911 emergency services interfaces" referencing ANSI T1.411-1995, an industry standard for connection of MLTSs to CAMA trunks. Telident Part 68 Ex Parte at 9.

MMTA questions the necessity to include ANSI T1.411-1995 as a Part 68 requirement. To the extent that a uniform standard in this area is necessary, ANSI's action in itself provides such a standard, with or without additional action by the FCC, and will facilitate the design and manufacture of equipment and facilities that enable users to utilize CAMA trunks for E911 interconnection where appropriate. Thus, there does not appear to be a need for the ANSI standard also to be adopted by the FCC as part of Part 68 "interface requirements." Generally, Part 68 imposes "interface requirements" only to the extent deemed necessary to prevent "network harm." Part 68 does not usually incorporate industry standards by reference.[1] Including the standard as a rule, in the absence of a showing that the standard is necessary to prevent network harm, has the potential to unnecessarily hinder parties from adopting variances from the standard that might be appropriate in particular cases.

---

[1] An exception is EIA's hearing aid compatibility standard, which is used to define criteria for compliance with the specific statutory mandate regarding hearing aid compatibility. 47 CFR § 68.316.

Further, in the event that the proposed ANSI standard reference is adopted, the rule should not characterize the standard as "interface requirements for the interconnection of MLTS to Enhanced 911 systems." (emphasis added) At most, the standard defines requirements for interconnection of MLTS to "enhanced 911 emergency services trunks." As Telident's submission itself implicitly recognizes, there are a number of other acceptable means to interconnect MLTSs to enhanced 911 systems. The record of this proceeding indicates general agreement that in many cases (in MMTA's view, the vast majority of MLTSs) it is unnecessary for MLTSs to provide any additional precision in locating the source of a 911 call, and interconnection with E911 will occur by the ordinary means for interconnection of MLTSs with the public network. Further, as recognized by Telident itself, in those cases where additional precision may be required, there are a number of alternative ways to achieve it, including connection to E911 systems via "specific [non-CAMA] trunk groups or business phone lines" (Telident Part 68 Ex parte at 9) and connection via ISDN lines. These methods should be freely permitted, whether or not standards bodies have found it necessary to develop national standards for such methods or have completed work on such standards.

II. OTHER TELIDENT PROPOSALS

Telident's Ex Parte makes a number of other proposals that are not specifically referenced in the Public Notice. Most of these proposals take the form of changes to the Commission's original proposed Section 68.320 that would require manufacturers to include certain location-identification capabilities in equipment as a condition of Part 68 registration. It is not clear whether the Public Notice intended to

invite comment on these other proposals. However, out of an abundance of caution, MMTA submits the following comments.

Telident's Section 68.320 proposals appear to be an attempt to update the Commission's original rulemaking proposal, made more than two years ago, to accommodate some additional options. MMTA believes that Telident's changes do not go nearly far enough to take account of the development of the record in this proceeding, including both the original comment cycle and the information provided at the Commission's September 19-20, 1996 ex parte hearing.

The Commission's initial Section 68.320 proposal, as modified by Telident, would require all new MLTS to have attendant notification capabilities, would require new "dispersed" MLTS to have one of three specified E911 capabilities, and would require "dispersed" MLTS to have detailed "Enhanced 911 compliance" instructions. The MLTS would have to either provide these capabilities itself, or be operable with adjunct equipment that provides the capabilities. Noncompliant "dispersed" MLTS would be required to have warning labels.

These proposals presuppose that a set of requirements applied to manufacturer registration of customer premises equipment ("CPE"), beyond technical "network harm" related requirements such as those discussed above, is a necessary component of the rules to be adopted in this proceeding. MMTA disputes the current validity of that assumption. First, the proposals are contrary to the overall thrust of current regulatory policy, which is to specify performance requirements and leave it to the marketplace to address how such performance requirements should be achieved.

Requirements for additional location identification precision to be provided by MLTS owners and service providers in certain discrete categories of locations have been adopted recently by a number of states, and may be adopted in this proceeding by the FCC. The record in this proceeding provides no convincing reason to doubt that, over time, the marketplace is responding and will continue responding to reasonably articulated user requirements in an appropriate manner by providing equipment that enables users to comply with requirements. Specific FCC requirements imposed on the manufacture of equipment are likely to accomplish little and will impose unnecessary costs and deter innovation in responding to user needs.

Further, the requirements as formulated are overreaching because they would effectively require all MLTS, regardless of size, to have the specified capabilities. In most cases it will not be possible to determine at the time of manufacture whether a particular piece of equipment is going to be installed in an environment that is considered "dispersed" as defined by the FCC. Thus, the limitation of manufacturer requirements to "dispersed" systems in the Telident proposal is of little assistance in avoiding unnecessary costs.

The record of this proceeding indicates that most of the roughly 300,000 MLTSs sold each year do not require any additional location identification capabilities. Most MLTSs are used by small businesses occupying "compact" locations that could not even theoretically be said to pose a significant problem in finding the location of an emergency call. Further, even with respect to larger MLTSs, the record indicates that anecdotal evidence of a concrete need for additional precision relates to particular categories of MLTS locations that account for a rather small percentage of all MLTSs.

Most of the existing state laws addressing the issue are limited in scope to these particular categories. It is still a matter of debate whether the FCC should adopt a rule that applies user requirements that are broader in scope.

Since only a small percentage of all MLTSs are likely to be affected by user requirements, it clearly makes little sense to adopt a rule that effectively requires new features to be added by manufacturers, at significant cost, to all MLTSs. Such costs would be especially onerous if the proposed regulations were applied to the manufacture of small systems with capacity of 200 stations or less. As discussed elsewhere in the record, there are particular difficulties involved in adding the proposed features to smaller systems, and the vast majority of those systems will be installed in locations that have no actual or even theoretical need for additional precision in location identification.

Finally, regulations requiring detailed "compliance" instructions and warning labels are unnecessary, and are likely to unnecessarily alarm MLTS owners, the vast majority of whom should not have to install any new capabilities to provide additional location precision.

CONCLUSION

For all these reasons, requirements for manufacturers to provide specific 911-related capabilities (other than, perhaps, a reasonable requirement related to 911 dialing in "dial 9" environments) are unnecessary, will impose undue costs, and should

not be adopted. If such manufacturer requirements are adopted, they should not be applied to any systems the capacity of which is less than or equal to 200 stations.

December 11, 1996

Respectfully submitted,

Albert H. Kramer
Robert F. Aldrich
DICKSTEIN SHAPIRO MORIN
& OSHINSKY LLP
2101 L Street, N.W.
Washington, D.C. 20037-1526
(202) 828-2236

Attorneys for MultiMedia
Telecommunications Association